

NOTICE OF LIEN UNDER  
MISSISSIPPI CODE ANNOTATED § 85-7-131, et seq.

Pursuant to Mississippi Code Annotated § 85-7-131 and § 85-7-137 (1972, as amended), notice is hereby given as follows:

1. The name and address of the lien holder is Soefker Services, LLC, 1568 Panama Street, Memphis, TN 38108.
2. The owner of the property affected by the lien is Angell Realty III, LLC, 4140 W. Fullerton Avenue, Chicago, IL 60639. The tenant/owner's agent is Newly Weds Foods, Inc., 4140 W. Fullerton Avenue, Chicago, IL 60639 and also with an address of 5980 Hurt Road, Horn Lake, MS 38637.
3. The property subject to the lien is described as: See Exhibit A for legal description. Being the same property conveyed to Angell Realty III, LLC, by Warranty Deed recorded in Book 460, Page 191 DeSoto County, MS Chancery Court Clerk's office.
4. The lien holder entered into a contract with the owner or tenant/owner's to provide and did provide labor and materials for mechanical systems repairs and maintenance at the above-described property.
5. The amount due to lien holder is \$66,876.09, plus interest and attorneys' fees as provided for in Mississippi Code Annotated §'s 11-53-81 and 85-7-131 (1972 Code as amended).
6. Suit for enforcement of the lien has not yet been commenced.
7. Lien holder is sending this Notice of Construction Lien to the owner and tenant/owner's agent by certified mail, return receipt requested.

Date: December 4, 2008

STATE OF TENNESSEE  
COUNTY OF SHELBY

Affidavit

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Brett Soefker, a Member of Soefker Services, LLC, who after having been by me first duly sworn, declared, acknowledged and affirmed that the information included in the foregoing Notice of Lien is true and correct to the best of his knowledge and belief, and further that he did sign and deliver the above and foregoing notice on the day and in the year therein mentioned, all for and on behalf of and as the act and deed of said limited liability company, with full authorization so to do.

Brett Soefker, Member of  
Soefker Services, LLC  
OF  
STATE OF

Sworn to and subscribed before me on this the 4th day of December 2008.

Notary Public

My Commission Expires ~~MY COMMISSION EXPIRES JULY 27 2010~~

Prepared by and return to:  
David A. Velander  
105 S Sherrin Avenue  
Louisville, KY 40207  
(502) 896-2301

## EXHIBIT A

## LEGAL DESCRIPTION

Parcel 1: (DB 232 P 693, PARCEL NO. 2082-0300-0-00005 01)

That certain tract of land lying and being situated Desoto County, Mississippi, more particularly described as follows, to-wit:

40.0 acres of land lying in the northwest quarter of Section 3, Township 2 South, Range 8 West in Desoto County, Mississippi and being more particularly described as follows:

Beginning at a spike in the center line of Nail Road (proposed 80 foot right of way), said point being the northeast corner of the northwest quarter of Section 3, Township 2 South, Range 8 West; thence along the half section line, South 00 degrees 58 minutes 04 seconds East passing an iron pin (set) at 40.0 feet and continuing on for a total distance of 1340.0 feet to an iron pin (set); thence South 89 degrees 51 minutes 30 seconds West a distance of 1300.0 feet to an iron pin (set); thence North 00 degrees 58 minutes 04 seconds West a distance of 1340.0 feet passing a iron pin (set) at 1300.0 feet and continuing on for a total distance of 1340.0 feet to a p.k. nail set in the center line of Nail Road; thence along said center line, North 89 degrees 51 minutes 30 seconds East a distance of 1300.0 feet to the point of beginning. Containing 40.0 acres and includes the proposed right-of-way (40 feet from center line) for Nail Road.

Parcel 2: (DB 382 P 197, PARCEL NO. 2082-0300-0-00004 01)

That land lying and being situated Desoto County, Mississippi, the land, together with improvements, hereditaments and appurtenances thereto, lying and being described as follows, to-wit:

Part of the Northeast Quarter of Section 3, Township 2 South, Range 8 West, DeSoto County, Mississippi, more particularly described as follows, to-wit:

COMMENCING at a point commonly accepted as the northwest corner of said quarter section; thence south 00 degrees 23 minutes 50 seconds east a distance of 40.0 feet along the west line of said quarter section to a point on the south right-of-way of Nail Road (80 feet wide), said point being the Point of Beginning; thence south 89 degrees 59 minutes 28 seconds east a distance of 826.0 feet along said south right-of-way line to a point; thence south 00 degrees 23 minutes 46 seconds east a distance of 1021.46 feet to a point on the south line of Flavorite Laboratories property; thence north 89 degrees 52 minutes 53 seconds west a distance of 826.00 feet along said Flavorite Laboratories south line to a point on said west quarter section line; thence north 00 degrees 23 minutes 50 seconds west a

distance of 1019.88 feet along said west quarter-section line to the Point of Beginning, all bearings being based on true north.

Parcel 3: (DB 149 P 477, PARCEL NO. 2082-0300-0-00004-00; -02)

That land with all improvements and appurtenances lying and being situated in DeSoto County, Mississippi, described as follows, to-wit:

25 acres in the northwest quarter of Section 3, Township 2, Range 8 West, described as beginning at a point 40 feet south of the northwest corner of said northeast quarter; thence south along the half section line of said Section 3, a distance of 750.0 feet to a point; thence east at an interior angle of 90° 15' 30" 1,452.0 feet to a point; thence north at an interior angle of 89° 44' 30" 750.0 feet to a point in the south line of proposed Nail Road; thence west parallel to and 40 feet south of the north line of said Section 3 and at an interior angle of 90° 15' 30" 1,452.0 feet to the point of beginning, subject to the right of way for Hurt Road on the west side of the above described 25 acre tract. Being the same land conveyed to Contract Packaging Company, Inc. by Warranty Deed of date December 12, 1966, and recorded in Deed Book 67, page 603, of the Deed Records of DeSoto County, Mississippi.

Parcel 4: (DB 175 P 536, PARCEL NO. 2082-0300-0-00003 00)

That land lying and being situated in the city of Horn Lake, DeSoto County, Mississippi, more particularly described as follows, to-wit:

Part of the northeast quarter of Section 3, Township 2 South, Range 8 West, DeSoto County, Mississippi, and more particularly described as follows, to-wit:

Commencing at a point commonly accepted as the northwest corner of said quarter section, said point being the intersection of the centerlines of Nail Road and Hurt Road; thence run South 00 degrees 23' 50" East a distance of 791.17 feet along the west line of said quarter section to the Point of Beginning, said point being the southwest corner of the Flavorite Laboratories, Inc. property; thence run South 89 degrees 52' 53" East a distance of 1467.50 feet along the south line of said Flavorite Laboratories, Inc. property to the southeast corner of said Flavorite Laboratories, Inc. property; thence run North 00 degrees 23' 50" West a distance of 750.69 feet along the east line of said Flavorite Laboratories, Inc. property to the northeast corner of said Flavorite Laboratories, Inc. property, said point being on the south right-of-way line of Nail Road and 40.00 feet south of the centerline of said Nail Road; thence run South 89 degrees 59' 28" East a distance of 859.46 feet along said south right-of-way line to a point on the west right-of-way line of the Illinois Central Gulf Railroad; thence run southerly a distance of 176.07 feet along said west right-of-way line, a curve to the left with a radius of 5779.58 feet to a

point; thence run south 01 degrees 29' 26" East a distance of 855.16 feet along said west right-of-way line to its intersection with an old, barb-wire fence and hedgerow to the west; thence run North 89 degrees 52' 53" West a distance of 2294.02 feet along said fence and hedgerow to a point on said west quarter-section line; thence run North 00 degrees 23' 50" West a distance of 272.00 feet along said west quarter-section line to the Point of Beginning and containing 28.45 acres. Bearings are based on true north as determined by solar observation.